

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DR. GERALD FINKEL, as Chairman of the Joint  
Industry Board of the Electrical Industry,

Plaintiff,

- against -

ORDER  
07-CV-2653 (RRM)(SMG)

THE TRIPLE A GROUP, INC. and MICHAEL  
VOLPE,

Defendants.

-----X  
MAUSKOPF, United States District Judge.

By Motion filed November 8, 2007, Plaintiff moved for default judgment. By Order entered February 21, 2008, this Court granted the motion and referred the issue of appropriate damages to the assigned Magistrate Judge for a Report and Recommendation. On September 2, 2009, Magistrate Judge Steven M. Gold issued a Report and Recommendation (the "R&R") recommending that Plaintiff be awarded damages in the total amount of \$77,089.54, as well as interest on the amount of unpaid contributions. Judge Gold reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due September 18, 2009. No party has filed any objection.<sup>1</sup>

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

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<sup>1</sup> On September 17, 2009, Plaintiff submitted a letter to the Court indicating, in a footnote, a potential objection to one of Judge Gold's recommendations "to the extent that the Court interprets it to prevent a new lawsuit for the additional amounts." (Docket No. 20.) By Order dated September 22, 2009, Plaintiff was directed to file formal objections to the R&R on or before October 23, 2009 in the event he wished this Court to review any portion of the R&R *de novo*. (See Electronic Order, entered September 22, 2010.) No objections were filed.

Accordingly, it is hereby ORDERED that Plaintiff be awarded damages in the total amount of \$77,089.54 plus interest on unpaid contributions as outlined in the R&R.

SO ORDERED.

Dated: Brooklyn, New York  
April 27, 2010

s/RRM  
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ROSLYNN R. MAUSKOPF  
United States District Judge